

General Programmatic Information

For more detailed information please refer to the specific state profile pages.

Region	State	Number of sites currently in VCP*	Number of sites completed under VCP*	Costs to enter program/fees for service	Contaminants Covered/Excluded	Site Eligibility Requirements	State Definition of Brownfields
REGION 1	CT	191	22		Does not restrict on basis of contaminants; petroleum, asbestos, lead paint, and PCBs all included	Eligible sites must be located in either a distressed community or a target investment community	
	ME	40	260		Petroleum and PCBs are included; asbestos and lead paint are excluded.		
	MA	30,059 release notifications have been made to DEP, with about one-third of the releases (10,546) still active.	19,513		Petroleum, asbestos, VOCs and PCBs are included; lead paint is excluded.	Anyone may participate in a voluntary cleanup	
	NH	24	11		Petroleum, asbestos, lead paint, and PCBs are all included	Any property contaminated with hazardous materials or oil is eligible, except sites that are being cleaned up through one of the state's petroleum reimbursement funds and sites that are under an environmental or corrective order	X
	RI	550	700	\$1,000 Remedial Action Approval fee	Petroleum and PCBs are included; lead-based paint from ind./com. properties also are covered, only in cases where they are in the environment and not on a structure	Although anyone is eligible, non-PRPs may obtain a covenant not to sue and protection from contribution actions.	X
	VT	6	3		Asbestos, lead paint, and PCBs are included; petroleum is included if not eligible under the PCF		X
REGION 2	NJ	23,000 contaminated sites	3,402 voluntary cleanup memoranda of agreement	Charge oversight fees based on staff time & may bill salary and overhead		Participation in VCP is open to all parties with some exceptions (publicly funded sites, sites under an enforcement action or court order).	X
	NY	BCP -- 34 ERP -- 145 VCP -- 588	BCP -- none ERP -- 13 VCP -- 103	State oversight costs are reimbursed by the party cleaning up the site. RPs must also pay past costs.	BCP—haz waste (including haz substances) & petro are covered. ERP—haz substances & petro are covered; lead paint is not. VCP—haz wastes, haz substances, and petro are covered.	Site owners, prospective purchasers, municipalities, and operators may participate. Participation by Class 2 sites and NPL sites is not allowed.	X
	PR			Under development	Under development	Under development	
	VI						
REGION 3	DE	85	91	No cost to enter into the BDP; Oversight costs are charged	Petroleum contamination is covered on brownfields sites; asbestos and lead paint contamination are covered if found in the soil.	Site must be a certified brownfields and the developer must not have any contractual or familial relationship with any PRP.	X
	DC	4	2	\$10,000 application fee	Has not identified particular contaminants that are to be excluded from the program under all circumstances.	Non-RPs are eligible; Any brownfields or site contaminated by haz substances that is not listed on NPL or subject to a current cleanup action.	X
	MD	134	106	Initial fee of \$6,000; additional fees are also included	PCBs, oil, petroleum (not exclusively, but along with other contaminants), paint, and asbestos (as long as they comply with all other applicable laws and regs) are eligible.	Any site that is contaminated or perceived to be contaminated is eligible, other than NPL sites, sites under active enforcement, or TSD facilities.	
	PA	650	1,711	\$250 for statewide health final report and \$500 for site-specific final report.	See list on LRP Web site		X
	VA	103	101	\$5,000 or 1% of the cost of remediation, whichever is less.	Petroleum, asbestos, lead paint and PCBs all eligible, if not regulated under another program.		X
	WV	113	32	Fee is calculated according to the size of the property.	No exclusions		X

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REGION 4	AL	198			Petroleum, asbestos, lead paint, PCBs are covered.	Property must not be on the NPL, currently undergoing response activities, or a RCRA site.	X
	FL	578	9		Petroleum and PCBs are covered; asbestos and lead paint accepted conditionally.	All sites are eligible, except those on the NPL	X
	GA	16	19	A non-refundable \$3,000 application review fee is required; additional fees may apply.	Petroleum, on-site hazardous substances that have not been released to the environment.	The property must have a pre-existing release; any lien filed under the state superfund against the property must be satisfied; and must not be on the NPL	
	KY	1		Application fees—Area of <3 acres (\$1,000); area >3 acres and <10 acres (\$2,500); and area >10 acres (\$3,500).	Petroleum and PCBs are covered (but petroleum releases are not eligible); asbestos and lead paint are covered if released in environment.	Any site is eligible, unless the site is: a licensed radioactive facility; on the NPL; a hazardous treatment facility; or subject to an enforcement action.	
	MS	206	34	\$2,000 application fee and \$75/hour administrative costs	Asbestos, lead paint, PCBs, and petroleum are covered.	Demonstrate that: the remediation will result in suitable use of site; party has the financial & technical resources to complete the task; current owner's approval; and pay for oversight costs.	X
	NC	112	421	\$2,000 for a brownfields agreement and \$500 for a NFA letter.	Exclusively petroleum contamination from USTs are ineligible	Any site may enter the VCP; Brownfields Program is statutorily restricted to non-causative prospective developers	X
	SC			No application fee; however, RPs and non-RPs must pay oversight costs.	Hazardous substances (including PCBs) are addressed, but not petroleum. Asbestos & lead-based paint can be addressed if it is an environmental exposure.	The eligibility requirements are set forth in the South Carolina Hazardous Waste Management Act.	X
REGION 5	TN	103	50	Participation fee has been waived; however, charged for oversight cost.	Petroleum, asbestos, and PCBs are covered. Lead paint is covered if other hazardous substances are present.	RPs are not eligible	X
	IL	840	1,347	User fees based on personnel costs, overhead, travel, lab costs, etc.	Petroleum and all hazardous substances are included.	Generally, any site not required to clean up under any other program (e.g., RCRA, Superfund) is eligible	X
	IN	Brownfields -- 369 VRP -- 588	Brownfields -- 42 VRP -- 510	Brownfields Program is free; VRP application fee is \$1,000 plus additional state costs.	Brownfields Program -- asbestos, lead paint, petroleum, and PCBs are covered. VRP -- petroleum and PCBs are covered; however, asbestos and lead paint are not.	Any site unless an enforcement action is pending, the site is a substantial and imminent threat, or a federal grant requires action.	X
	MI	216	> 1,000	\$750	Does not restrict sites from the VCP on the basis of contaminant; petroleum, asbestos, lead paint, PCBs are all covered.		X
	MN	589	> 1,500		Petroleum is allowed if not the sole contaminant; asbestos and lead paint only if there is a release to the environment; PCB sites are handled only if contamination resulted from a release prior to 1978.		
	OH	202	139	Fees range from \$1,000 to \$5,000 depending upon the site.	Hazardous substances, petroleum, asbestos, and lead paint are allowed; PCB sites are allowed only if contamination resulted from a release prior to 1978.	Any party is eligible for the VAP except for those already regulated under federal or state law.	X
	WI	Approx. 7,252	Approx. 14,000	\$250 application fee and \$75/hour for oversight	Petroleum, asbestos, lead paint, and PCBs are all covered.	Any party, including RPs are eligible. Any type of contamination site is eligible including LUST, hazardous waste, spills, etc.	X

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REGION 6	AR	34	9	A fee schedule has not been established for the program.	Petroleum sites are covered.	Non-RPs who do not own the property are eligible.	X
	LA	36	8	\$500; in addition, must reimburse DEQ for the actual direct costs of oversight.	No restrictions based on contaminants; petroleum, asbestos, lead paint, and PCBs are all covered.	Only Non-RPs are eligible	X
	NM	31	21	\$1,000 application fee and \$65/hour charges for oversight.	Does not restrict on the basis of contaminants.	To be eligible, an applicant must: own the site; operate the facility; be the prospective owner; or be a prospective operator of the facility.	X
	OK	115	196	Reimbursement of oversight costs.	All sites affected by pollution are covered.	To be eligible, the site must not be under a corrective action and is in compliance with court orders.	X
	TX	1,582	739	\$1,000 application fee and reimbursement for oversight costs.	All contaminants in soil and ground water are covered, except those under the jurisdiction of the Texas Railroad Commission.	All sites are eligible, except those commission orders, remediation permits, or listed on the NPL	
REGION 7	IA	29	27	\$750 application fee and oversight fees. Oversight fees are capped at \$7,500.	Any contaminant that has appropriate toxicity information available is covered.		
	KS	311	72	\$200 nonrefundable application fee and initial deposit, not to exceed \$5,000, to cover oversight costs.	Lead, asbestos, and PCBs are all covered.		X
	MO	166	210	\$200 initial deposit (application fee) and up to \$5,000 for oversight costs.	Petroleum, asbestos, lead paint, CERCLA hazardous substances, and PCBs are all covered.	All sites are eligible except those that pose and imminent threat to public health, RCRA sites, NPL sites, CERCLA enforcement, or release from a UST	X
	NE	14	4	\$5,000 application fee and a \$5,000 participation fee.	Petroleum, asbestos, lead-based paints, and PCBs are all covered.	No eligibility requirements, open to all sites.	
REGION 8	CO	425	226	\$2,000 application fee and \$85/hour for oversight.	Petroleum, asbestos, lead paint, and PCBs are covered. Ground water standards must be met at property boundary.	Publicly-owned, directly by a municipality or indirectly through a quasi-public entity and/or Privately-owned by current or prospective property owners, developers, etc.	X
	MT	35	23	VCP, participant must reimburse the state for all admin costs. Cost recovery is based on actual cost; there is no standard fee. No costs for the brownfields program.	All contaminants covered, but must represent a release or threat of release to the environment.	Any person or entity is eligible, and all non-NPL sites are eligible, although the state is given discretion to reject applications.	
	ND				Does not restrict on the basis of contaminants.		
	SD	6		Does not charge parties to enter into the brownfields program or have fees for staff services.	The state regulates haz substances, haz wastes, toxic substances, petro, pesticides, metals, and other substances considered regulated substances under SDCL Ch 34A–12.	Rules are being drafted.	
	UT	37	15	\$2,000 application fee and an environmental assessment are required at time of application.	Does not restrict on the basis of contaminants.	All sites are eligible except RCRA sites, NPL sites, or sites with and existing	
	WY	45		\$350 application fee (covers the first 10 hours of oversight) and \$35/hour rate for additional oversight.	Wide variety of contaminants are eligible.	Sites where the release occurred was not subject to a permit requirement or if the site is not under a court order are eligible.	

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REGION 9	AZ	79	79	\$2,000 non-refundable application fee, \$110/hour fee for oversight, plus additional costs.	Excluded—Crude oil. Covered—Hazardous substances mixed with petroleum products; hazardous wastes as defined by CERCLA, including RCRA sites; haz wastes that are ignitable, corrosive, reactive or toxic.	Sites that meet the state brownfields definition.	X
	CA	300	125/year	DTSC is obligated to recover its costs and does this through voluntary cleanup agreements, reimbursement agreements, contracts, and settlements.	Generally regulates hazardous substances, consistent with the federal definition. Petro releases from non-USTs may also be addressed. School Property Evaluation and Cleanup Program also addresses naturally-occurring chemicals. The Water Boards regulate haz materials which includes petro hydrocarbons.	Most sites are eligible unless listed as federal/state Superfund site, a military facility, site falls outside of DTSC's jurisdiction, or if another agency currently has oversight.	X
	HI	17	6	\$1,000 application fee and \$100/hour oversight fee.	Petroleum, asbestos, lead paint, PCBs are all covered.	All sites are eligible except NPL sites, sites with CERCLA enforcement actions, RCRA sites, and sites with a Letter of Interest from the US Coast Guard.	
	NV	1		Residential property fee is \$400. Commercial property: less than 1 acre (\$500), 1–25 acres (\$1,000), 26–100 acres (\$1,600), more than 100 acres (\$2,000)	Asbestos, lead paint, PCBs are covered; petroleum is covered, only if site does not qualify for reimbursement under the state's Petroleum Fund.	For VCP—application and site characterization information. For brownfields funding—federal site eligibility criteria are used.	X
REGION 10	AK	21	20	None	None excluded at this time, however, sites must be of a low- to medium risk to be addressed through brownfields program oversight.	DEC encourages the use of the SCP to clean up low-risk petro contaminated sites. And, Brownfields assessment funding may only be used at properties that meet EPA brownfields funding criteria.	X
	ID	3	1	\$500 application fee and \$2,500 fee for oversight.	DEQ's Risk Evaluation Manual and Software includes the 185 contaminants, with the ability to add additional contaminants on a site-specific basis.	All sites are eligible except those with a statutory required remediation under another Idaho program or that have conditions that pose an imminent threat to human health.	X
	OR	950	465	\$2,500	Petroleum, hazardous waste, lead paint, PCBs, and CERCLA contaminants are covered.	The site must be contaminated with haz substances, including petro, for which remedial activities are necessary to protect human health and the environment. The contamination must not have been caused nor aggravated by the prospective purchaser.	X
	WA	2,200	1,207	\$500 deposit plus hourly charges	Does not restrict on the basis of contaminants.		X

* VCP includes all of the state's programs (e.g., response program, brownfields, etc.)

Types of Financial Incentives & Insurance Mechanisms Available

For more detailed information please refer to the specific state profile pages.

Region	State	Grants	Bonds	Loans	Tax Abatement	Tax Credits	Environmental Insurance
REGION 1	CT		X	X	X	X	
	ME	X					
	MA		X	X	X	X	X
	NH			X			
	RI			X		X	
	VT	X		X		X	
REGION 2	NJ	X		X	X	X	
	NY		X	X		X	X
	PR				X		
	VI						
REGION 3	DE	X		X		X	
	DC	X		X		X	
	MD	X		X		X	
	PA	X		X		X	Pending
	VA					X	
	WV			X			
REGION 4	AL	X		X		X	X
	FL			X		X	
	GA				X		
	KY	X					
	MS	X					
	NC				X		
	SC	X			X	X	
	TN	X		X		X	
REGION 5	IL	X		X		X	
	IN	X		X	X	X	
	MI	X		X		X	
	MN	X		X			
	OH	X		X	X	X	
	WI	X		X		X	Under development

Types of Financial Incentives & Insurance Mechanisms Available

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Region	State	Grants	Bonds	Loans	Tax Abatement	Tax Credits	Environmental Insurance
REGION 6	AR			X			
	LA			X			
	NM	X		X			
	OK			X			
	TX			X	X	X	
REGION 7	IA			X			
	KS			X			
	MO	X		X	X	X	
	NE						
REGION 8	CO	X		X		X	X
	MT	X		X			
	ND	X					
	SD	X					
	UT	X					
	WY	X					
REGION 9	AZ	X		X		X	
	CA	X		X			Under development
	HI	X		X			
	NV	X		X			
REGION 10	AK						
	ID				X		X
	OR	X		X			
	WA	X		X	X	X	

Liability Provisions for State Response Programs

For more detailed information please refer to the specific state profile pages.

Region	State	VCP MOA with EPA *	Liability Provisions			
			Retroactive	Strict	Joint & Several	Other**
REGION 1	CT		X	X	X	
	ME			X	X	
	MA			X	X	
	NH	X		X	X	
	RI	X	X	X	X	
	VT			X	X	
REGION 2	NJ					X
	NY					X
	PR					X
	VI					
REGION 3	DE	X		X	X	X
	DC			X	X	
	MD	X	X	X	X	X
	PA	X	X	X	X	X
	VA	X				X
	WV					X
REGION 4	AL					X
	FL	X				X
	GA					X
	KY					X
	MS					X
	NC					X
	SC					X
	TN					X
REGION 5	IL	X				X
	IN	X				X
	MI	X	X		X	X
	MN	X	X	X	X	X
	OH	X				X
	WI	X				X

Liability Provisions for State Response Programs

For more detailed information please refer to the specific state profile pages.

Region	State	VCP MOA with EPA *	Liability Provisions			
			Retroactive	Strict	Joint & Several	Other**
REGION 6	AR	X				X
	LA	X				X
	NM	X				X
	OK	X				X
	TX	X				X
REGION 7	IA	X			X	X
	KS	X				X
	MO	X				X
	NE					X
REGION 8	CO	X				X
	MT					X
	ND					X
	SD					X
	UT					
	WY	X				X
REGION 9	AZ					X
	CA					X
	HI					X
	NV					X
REGION 10	AK					X
	ID					X
	OR					X
	WA					X

* To review a VCP MOA for a state, go to <http://www.epa.gov/brownfields/html-doc/statemoa.htm>

** Other includes proportional liability; liabilities obtained from No Further Action Letters, Restricted Use Agreement Orders, Covenants Not to Sue, etc.; and/or liabilities were not specified by the state.

Public Participation

For more detailed information please refer to the specific state profile pages.

Region	State	Public Record	Public Notice	Public Comment	Hearings/ Meetings	Citizen Group Grants
REGION 1	CT	X	X	X	X	
	ME	X				
	MA	X	X			
	NH	X				
	RI	X	X	X	X	
	VT	X	X	X	X	
REGION 2	NJ	X	X		X	
	NY	X	X	X	X	X
	PR		X		X	
	VI	X				
REGION 3	DE	X	X	X	X	
	DC	X	X	X		
	MD	X	X	X	X	
	PA	X	X	X	X	X
	VA	X	X	X		
	WV	X	X	X	X	
REGION 4	AL	X	X	X	X	
	FL	X	X	X	X	
	GA	X	X	X		
	KY	X	X	X	X	
	MS	X	X	X	X	
	NC	X	X	X	X	
	SC	X	X	X	X	
	TN	X	X	X	X	
REGION 5	IL	X				
	IN	X	X	X	X	
	MI	X	X	X	X	X
	MN	X	X	X	X	X
	OH	X				
	WI	X				

Public Participation

For more detailed information please refer to the specific state profile pages.

Region	State	Public Record	Public Notice	Public Comment	Hearings/ Meetings	Citizen Group Grants
REGION 6	AR	X	X	X	X	
	LA	X	X	X	X	
	NM	X	X	X	X	
	OK	X	X	X	X	
	TX	X				
REGION 7	IA	X	X	X	X	
	KS	X	X	X	X	
	MO	X	X	X	X	
	NE	X				
REGION 8	CO	X	X	X		
	MT	X	X	X		
	ND	X	X	X		
	SD	X	X	X	X	
	UT	X	X	X	X	
	WY	X	X	X	X	
REGION 9	AZ	X	X	X	X	
	CA	X			X	
	HI	X	X			
	NV	X	X	X	X	
REGION 10	AK	X	X		X	
	ID	X	X	X	X	
	OR	X	X	X	X	
	WA	X		X		

Long-Term Stewardship & Institutional Controls

For more detailed information please refer to the specific state profile pages.

Region	State	Tracking	Oversight	Monitoring	Reopeners
REGION 1	CT				
	ME	X			
	MA				
	NH			X	
	RI				
	VT				
REGION 2	NJ			X	
	NY			X	
	PR				
	VI				
REGION 3	DE	X	X		
	DC	X	X	X	
	MD		X		
	PA	X	X	X	X
	VA		X		
	WV		X		
REGION 4	AL	Database under development	X	X	
	FL	X	X	X	
	GA	X	X	X	
	KY			X	
	MS		X		
	NC		X	X	X
	SC	X	X	X	
	TN	X	X	X	
REGION 5	IL		X		
	IN	Database under development	X		
	MI		X		
	MN		X	X	
	OH		X		
	WI	X	X	X	

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For more detailed information please refer to the specific state profile pages.

Region	State	Tracking	Oversight	Monitoring	Reopeners
REGION 6	AR	X	X		
	LA				
	NM		X	X	
	OK	Database under development	X	X	
	TX		X	X	
REGION 7	IA				
	KS		X		
	MO		X		
	NE		X		
REGION 8	CO	X	X	X	
	MT		X		
	ND		X		
	SD		X		
	UT		X		
	WY		X		
REGION 9	AZ	X	X	X	
	CA		X	X	
	HI				
	NV		X		
REGION 10	AK		X	X	
	ID		X		
	OR		X		
	WA		X		X